

HAMILTON COUNTY BOARD OF COMMISSIONERS
APRIL 12, 2004

The Hamilton County Board of Commissioners met on Monday, April 12, 2004 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 1:00 p.m. in Conference Room 1A. President Dillinger called the public session to order at 1:45 p.m. A quorum was declared present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes: [1:53:06]

Holt motioned to approve the March 22, 2004 minutes. Altman seconded. Motion carried unanimously.

Executive Session Memorandum:

Altman motioned to approve the Executive Session Memorandum of March 30, 2004 and April 12, 2004. Holt seconded. Motion carried unanimously.

Plat Approval

Bridlebourne, Section 3 Lots 58-60:

Mr. Steve Broermann requested approval of the replat of Bridlebourne, Section 3, Lots 58-60. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Treasurer's Office Hours:

Mr. Fred Swift stated the Treasurer has requested permission to extend her office hours for collection of the Spring property tax payments. Hours would be weekdays until 6:00 p.m. and 8:00 a.m to 12:00 noon on May 1 and May 8. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bid Opening

Sheriff's Gasoline Bids:

Mr. Swift opened the Sheriff's Gasoline Bids for 2004. Only one bid was received from the Hamilton County Co-Op in the amount of \$1.334 + .19 per gallon. Holt motioned to refer the bids to the Sheriff for review and recommendation later today. Altman seconded. Motion carried unanimously.

Highway Business [1:58:00]

Road Cut Permits:

Mr. Jim Neal requested approval of Open Road Cut Permits. 1) RDCUT 2004-007 - Vectren Energy at 11001 Cornell Avenue cut a 4'X4' hole in asphalt 8' east of centerline of Cornell Avenue and approximately 41' south of centerline of 110th Street to retire gas service for demolition of building. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Neal requested acceptance of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-00-0003 - Western Surety Company Assumption of Liability Certificate for Bond No. 929120413 issued on behalf of Earth Excavating, Inc., effective January 24, 2004. 2) HCHD #B-01-0029 - Western Surety Company Continuation Certificate for Annual Permit Bond No. 69123539 issued on behalf of Wilson Water & Sewer Service, Inc. in the sum of \$25,000 to expire April 29, 2005. 3) HCHD #B-04-0030 - St. Paul Fire & Marine Insurance Company Performance and Payment Bond issued on behalf of Erber & Milligan Construction Company, Inc. in the sum of \$248,796.95 for replacement of Bridge #132 - Pennington Road over Weaver Ditch, Wayne Township. Expires March 9, 2005. 4) HCHD #B-04-0031 - Lexon Insurance Company Subdivision Bond No. 1006164 issued on behalf of Grand L. Development Company., in the sum of \$15,000 for public/private road approach at Lynn Drive and Fall View Drive, Fishers (Highpoint Ridge) to expire March 9, 2005. 5) HCHD #B-04-0032 - Fidelity and Deposit Company Maintenance Bond No. 8735157 issued on behalf of Two Gaits Development Company in the sum of \$14,034.16 for Village Farms, Section 18, stone base, HAC binder, surface, concrete curbs, street name and regulatory signs to expire January 16, 2007. 6) HCHD #B-04-0033 - Fidelity and Deposit Company Performance Bond No. 8663078 issued on behalf of Gallagher Asphalt Corporation for Resurface Contract 04-1 - Hot In Place Recycling of Various Roads to expire March 29, 2005. 7) HCHD #B-04-0034 - Fidelity and Deposit Company Payment No. 8663078 issued on behalf of Gallagher Asphalt Corporation for Resurface Contract 04-1 - Hot in Place Recycling of Various Roads, to expire March 29, 2005. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Neal requested the release of Bonds and Letters of Credit for the Highway Department. 1) HCHD #B-01-0157 - Developers Surety and Indemnity Company Performance Bond #886922(S)P issued on behalf of Weihe Construction for asphalt/stone, curbs and signs in Woods at Williams Creek. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Agreements/Supplements [1:59:22]

Subdivision Inspection Agreements

Lakes at Hamilton Pass, Section 1A:

Mr. Neal requested approval of Subdivision Inspection Agreement, HCHD #A-04-0006, for The Lakes at Hamilton Pass, Section 1A between Corradino Group (engineer) , Dura Builders, Inc. and Hamilton County in the amount of \$12,000. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #191, Olio Road over Geist Reservoir:

Mr. Neal requested approval of Supplemental Agreement #2, HCHD #E-01-0006, for Bridge #191, Olio Road over Geist Reservoir (Fall Creek) with United Consulting Engineers & Architects. The supplement will add right-of-way engineering and services. It deletes special investigations line item for a net decrease of \$400 of the not to exceed amount. Holt motioned to approve. Altman seconded. Altman asked if this adds a couple of parcels? Mr. Neal stated it adds two parcels. Motion carried unanimously.

Bridge #182, 131st Street over Sand Creek:

Mr. Neal requested approval of Engineering Agreement, HCHD #E-04-0005, for Bridge #182, 131st Street over Sand Creek with USI Consultants, Inc. for a not to exceed amount of \$64,400.00. This includes all phases of design and construction inspection. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #105, Anthony Road over Jones Ditch:

Mr. Neal requested approval of Engineering Agreement, HCHD #E-04-0003, for Bridge #105, Anthony Road over Jones Ditch with Beam, Longest and Neff, L.L.C. This agreement covers an alignment study and public information meeting with an initial not to exceed amount of \$5,700. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #82, Crooked Creek over Cicero Creek:

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Mr. Neal requested approval of a State-Local Public Agency Agreement, HCHD #M-04-0019, for Bridge #82, Crooked Creek over Cicero Avenue with INDOT. This agreement spells out how the funding will be split between the county and the state. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Bridge #82, Crooked Creek over Cicero Creek:

Mr. Neal requested approval of Agreement, HCHD #E-04-0004, for Bridge #82, Crooked Creek over Cicero Creek, with Floyd E. Burroughs, Inc. for construction engineering and inspection. The county's cost for this agreement is \$32,252. Holt motioned to approve. Altman seconded. Altman asked if the hours and computation were for estimating purposes? Mr. Neal stated yes.

Bridge #69, 266th Street over Duck Creek:

Mr. Neal requested approval of Engineering Agreement, HCHD #E-04-0002, for Bridge #69, 266th Street over Duck Creek with Mid-States Engineering L.L.C. This design work will approve design of a new overlay, replacing a barrier wall along the bridge and associated bridge improvements. This is not to exceed \$50,300. Holt motioned to approve. Altman seconded. Altman asked if we will need additional right of way? Mr. Neal stated we are not anticipating needing additional right of way. Motion carried unanimously.

Utility Agreements [2:04:09]

Bridge #262, Fall Creek over Geist Reservoir:

Mr. Neal requested approval of a City/County Utility Reimbursement Agreement, HCHD #M-04-0021, with Veolia Water (Indianapolis Water) for Bridge #262, Fall Creek over Geist Reservoir. This is for relocation of the water mains and easement in a not to exceed amount of \$158,000. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #262, Fall Creek over Geist Reservoir:

Mr. Neal requested approval of a Non-Reimbursable Utility Agreement, HCHD #M-04-0020 with Veolia Water (Indianapolis Water) for Bridge #262, Fall Creek over Geist Reservoir. Holt motioned to approve. Altman seconded. Motion carried unanimously.

106th and College Avenue:

Mr. Neal requested approval of Utility Reimbursement Agreement, HCHD #M-04-0023, for 106th Street and College Avenue with Veolia Water (Indianapolis Water). The not to exceed amount is \$27,672. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Clay Terrace Project:

Mr. Neal requested approval of a Utility Reimbursement Agreement, HCHD #M-04-0022, for Clay Terrace Park Project along US 31 to 146th Street with Cinergy/PSI Corporation. This is for the burying of the utility lines, which was included in the TIF agreement. Hamilton County is the lead agency. The not to exceed amount is \$151,271. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Condemnation Dismissal: [2:07:34]

Mr. Neal requested approval of the dismissal of a condemnation proceeding. We did reach settlement on this issue. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Escrow - E&B Paving:

Mr. Neal requested approval of the Release of Escrow for E&B Paving for the 146th Street Contract #2. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence: [2:09:13]

Mr. Neal requested concurrence with the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Regulatory Signs

96th Street and Fall Creek Road:

Mr. Neal requested approval of the installation of Regulatory Signs on 96th Street from Fall Creek Road (east junction) to 4390' east of Olio Road. When the intersections were constructed speed limit signs were installed, which did not match the speed limits that were supposed to be in this area. We performed a speed study and the recommendation is that the 45 mph from Fall Creek to Olio Road be rescinded and 40 mph be enacted and 45 mph be enacted from 775' east of Olio Road to 4390' east of Olio Road. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Announcements [2:11:33]

MPO Meeting:

Mr. Brad Davis announced there will be a joint Indianapolis MPO Policy Committee and Technical Committee meeting at 2:00 pm on Tuesday, April 13th. They will discuss the Regional Rapid Transit Phase 2 and vote to move on to Phase 3. Commissioner Dillinger is unable to attend, Commissioner Altman will attend. Altman stated Mike Deering will be at our April 30th Highway Meeting to discuss the plans.

Dillinger called a break in the meeting.

Dillinger called the meeting back to order. [2:14:36]

Bid Award:

Juvenile Detention Center Site Work:

Mr. Larry Dawson recommended approval of the Juvenile Detention Center Site Work Bids be awarded as follows: 1) Sitework, Utilities and Concrete - Gradex; 2) Asphalt Paving - Harco; and 3) Electrical work - Gaylor. Mr. Dawson stated Mr. Howard will be requesting a \$3 million additional for this phase of the project. County Council has awarded \$2.5 million to cover the design phase. There have not been any changes in the original budget and we have approximately \$300,000 that is unassigned. We may need some of that money for easements. All of the monies will be refunded to the County through the Bond Issue, once the bonds are sold. Altman asked what is the \$3 million for? Mr. Dawson stated it is to fund the site work on the project. Altman asked how much did we originally program for site work? Mr. Dawson stated their estimate was \$2,889,000. After the bids were received we are at \$2,817,000. It is within the budget that was originally set. Holt motioned to approve. Altman seconded. Motion carried unanimously. [3:56:40] Altman stated she has to withdraw her vote, she has a conflict with the electrical bid, she represents LaFever Electric.

Prosecutor's Office Expansion: [2:39:08]

Mr. Dawson presented estimates on what is now being called the Hamilton County Offices Project for 2004. It started with the Prosecutor's office and has grown to include ISSD, Planning, Probation and Human Resources. Browning, Day and Dierdorf have designed a significant part of what the project was thought to be, which was to relocate Planning downstairs, to expand the Prosecutor's office to the northwest corner of the building, and some changes requested for the ISSD. If anything is done downstairs with office relocation it will affect storage for the Canteen and the Maintenance Department. Since that time it was discussed that Planning may be relocated to a different site and if that is

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the case there is no design done for a different site. If the Prosecutor's office will occupy the space where Planning was, our budget estimate of \$248,000 off of Browning's design is still good and could be bid immediately. The ISSD changes in space on the second floor is still good and that could be bid and started soon. If Probation is going to expand in the basement we would recommend looking at the hallway configuration in the basement to try to alleviate some of that significant square footage that is located in that hallway that winds back to the boiler room. We would still need basement storage relocation. In his walks around the building he has been approached that Human Resources does need some consideration. Mr. Dawson stated the primary focus was the Prosecutor's relocation and the original number was set then we added the changes for ISSD. Planning Department is a key, no matter where it is going. If it is going to relocate some place, do we need to do something where Planning is going and what is that? They must be relocated prior to us implementing the design for the Prosecutor's office. Mr. Dawson stated they would like direction as to what the Commissioners would like to do. Would you like to make this a project with many phases, would you like to make this one project, what is in, what is out? If we implement the Prosecutor and ISSD changes, that design work is complete. If we are designing Planning for somewhere besides the basement, then that needs to be started. The basement would then be protected and no work would need to be done in there immediately.

Holt stated this came from a meeting he had with Larry, Dan Stevens and Madonna Roach were they discussed the Adult Probation needs in the lower level. We discussed moving the hallway that runs east-west into the canteen, north-south to come out in the south hallway where the Health Department is. With that thought he spoke with Chuck Kiphart and asked him if he would go look at the Emergency Management offices to see if sharing space with Emergency Management would be a feasible thing to do. Chuck reported back that he thought it would be workable for him. Holt stated he shared this with Mr. Dawson. Holt stated we need to move forward with the Prosecutor's space, Planning is the dilemma and whether we spend a significant amount of money to design for him to go downstairs knowing that we are putting the future expansion space for Probation in gridlock or whether we would locate Chuck somewhere else. The only space he and Fred could come up with was the office space at the EMA building. Altman stated unfortunately no one told EMA and she received phone calls asking why they were being moved and where were they going? Altman stated we are talking about significant dollars and about a building that we want to grow with for five years. We need to sit down and have a half-day session and look at our wants and needs in this building before we start moving walls. If we move Planning outside this building, then everyone who goes through the plan permit process has one more place they have to drive to and it is not fair to the user. Altman asked if there is any other configuration that we can use that makes more sense. We have not had that process and we are pursuing this with short term sidedness. Holt stated there is no question this is one of our highest responsibilities and to take a couple of hours to a mini retreat/brainstorming session is a tremendous idea. Altman stated with the Planning office, he is taking care of the County and Jackson Township. We are basically underwriting a substantial portion of his office expenses and not getting reimbursed for all of that work. Do we want to design and spend more money for the Planning Department in a capacity of what the scope is on the county level. We need to consider long term. Are we going to continue sharing planning with Jackson Township or should we concentrate on our own planning department and try to spend more of Chuck's time in coordinating all of the planning jurisdictions. Altman stated she hates to build out space that we may reconsider in a year or two. Altman so moved. Holt seconded. Altman asked Ms. Leerkamp if there was any temporary space that we could provide until we get this decided? Altman asked if there is space in the Law Clerk's office or behind Superior 1? Ms. Leerkamp stated that might help with her summer interns. Altman asked if the interns could go in the law clerk's space? Ms. Leerkamp stated that would work and they will work with the Commissioners. Holt suggested Mr. Swift contact Polly Pearce to work on that. Altman stated we need to address Human Resources, we have a lot of requests with limited space. Dillinger stated in order for us to be productive in any "retreat" we would need someone to guide us. Altman stated we have the as-built drawings, we can look at many options. Dillinger stated in concept it sounds great, but he is more interested in exactly how we can do that. Dillinger asked if we set up this retreat, how do we go about being in a position to put together something that we can logically make decisions on, given everything that has been talked about. Mr. Dawson stated he would like to put together a written plan for the Commissioners and bring it back in two weeks. If we are going to a formal retreat we will need to have a lot of information on hand. Altman stated her concept is to look at what we have and look at where we are going and she does not think Mr. Dawson can make that decision and come up with a plan before we sit down and look at what we have and decide what are needs are. We don't need a formal retreat, we need to sit down and do some planning for the next five years. Dillinger asked how do you do that without the information? Altman stated, have them participate in the meeting with the plans and we will see what space is utilized and what space is available. If we need to, make plans for an alternate location for expansion, if we need do. Let's brainstorm instead of spending a lot of fees. Mr. Dawson stated they can do that. There would be no fee involved, from their standpoint. If we go through the discussion session we could come out with some direction. Dillinger stated to look at this with any logic, we need to start discussing to build onto this building. Altman stated that is why we need to sit down and decide where we are going. Holt stated if Altman would like to meet for a couple of hours to brainstorm and she will change her motion he will change his second. Altman so moved. Holt amended his second. Dillinger clarified the motion that the Commissioners and Envoy will meet and brainstorm for a couple of hours and then decide where we are going. Mr. Dawson stated it would be helpful for that meeting to look at how we are utilizing the building now and where we are pinched now. Dillinger asked if it would make sense to take a walking trip around this building? Altman agreed. Holt asked if we could send out a questionnaire to the departments asking what they see as 2005 needs and 2010 needs? Holt asked if the Commissioners would agree to ask Mr. Swift to put together a questionnaire before this meeting. Dillinger agreed. The meeting is set for April 21, 2004 at 10:00 a.m. Motion carried unanimously.

Mr. Dawson stated they have been approached with the Juvenile Detention Center project to design changes that have been requested for the Jail. If we are going to do that and try to fund any of it out of the Juvenile Bond, then it should be designed and bid as part of the same package, probably as an alternate. If we have the budget space, we could incorporate that in to the same project or use alternate funding. Mr. Dawson requested permission to assign that work to RQAW to design it as an alternate to the current bid package. Altman asked if that is for the conversion of the existing sallyport and putting another one on? Mr. Dawson stated yes. Sheriff Carter stated that would take us through another decade. Altman asked if it would be possible to absorb EMA? Sheriff Carter stated if we went back to the table we could do that and he would like to incorporate EMA and have them on that property. Altman stated it is not the best situation right now having the EOC where it is, it was a mistake moving EMA out from the Sheriff's Department to the separate building. It will free up that building for an alternate use. Sheriff Carter would like to sit down with Mr. Dawson and explore the options. Holt motioned to accept Larry's suggestion and RQAW to do an alternate bid for the Sheriff's improvements that have been previously discussed. Altman seconded. Holt stated he would like to incorporate EMA also. Motion carried unanimously.

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Amendment to Hamilton County Zoning Ordinance: [3:05:33]

Mr. Chuck Kiphart stated the Commissioners have asked Mike Howard to read through the Amendment to the Hamilton County Zoning Ordinance and report back to them. Mr. Howard is not present today and he did not have a chance to review the ordinance. Mr. Kiphart stated in Article 18 we did not have a specific list on what they had to show on the plans and that is one of the things we need to have in the code that we need to be able to tell people what they need to show on the plans to be able to review them. Mr. Kiphart stated normally on any plan that is submitted, if there is something that is asked for that is frivolous, such as they need to show sidewalks, if it is lot out in a rural area where there is no requirement for sidewalks we don't ask them to show it or ask them to comment on it because we know it is not required. The list in Article 18 are the things that need to be shown if they are applicable to the permit that is being requested. Altman stated she understands the logical way to approach it is if they are applicable you put it on. However, if it is in the ordinance and we are not enforcing the ordinance and the ordinance should be properly written that says for residential permit the only applicable things and it is not written that way. Mr. Kiphart stated in the site plan section, that was rewritten, says that it is for commercial manufacturing PUD's, not for individual site plans for residences. Altman stated Article 18 is for everybody, Mr. Kiphart stated yes, you are correct. Altman stated she has a conceptual problem that we come up with requirements that should be incorporated in individual subdivision covenants. It should not be a government function to tell people what color brick or how much brick to put on their house. Dillinger stated he agrees with that. Holt stated he disagrees. The Plan Commission approved this unanimously. Altman stated we appreciate the time spent on this, but we have a conceptual difference. She does not have a problem with PUD's conforming that to the current statute. We have gone beyond that with esthetics requirements that she does not believe belong in the government purview to the extent we have gone there. Mr. Kiphart stated one possibility is that the Commissioners need to act some way within 90 days of when the certificate of the Plan Commission's action was done. The three options would be to disapprove it completely, we would remain with what we have; it could be recommended to the Plan Commission that they look at getting rid of the PUD Ordinances in their entirety or you could make specific recommendations on the current ordinance if they were specific enough that the Plan Commission could make those changes and if they chose to do so, then it would be adopted automatically. Any change made to the ordinance has to go back to the Plan Commission, if the Plan Commission makes your specific changes then it is adopted at that time. Mr. Kiphart stated you still have time, the deadline is sometime in June. Dillinger stated we will leave it on the table.

Commissioner Committee Reports [3:12:06]

Emergency Management Agency:

Altman stated EMA has asked for a questionnaire on a needs assessment that she would like to refer to Mr. Swift to complete.

Altman stated we did receive formal approval of the joint \$10 million grant. Our 60 day period on expenditures has started.

Altman stated there is another meeting on April 15 that will discuss upcoming Homeland Security Grants.

Attorney [3:13:31]

Offer to Purchase Real Estate:

Dillinger stated the County has received an offer from RC East L.L.C. offering to purchase property on 146th Street and Herriman Boulevard for \$100,000. Altman motioned to consider the offer submitted by RC East L.L.C for the purchase of approximately 1.272 acres for the purpose of commencing the process for disposal of that property according to statute. Holt seconded. Motion carried unanimously.

Alternative Services Concept Contract:

Dillinger requested approval of the ASC (Alternative Service Concept) Contract for third party administration of the liability claims. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Humane Society Interlocal Agreements:

Altman motioned to present the proposed Humane Society Interlocal Agreements to the City of Noblesville, Carmel, Westfield and Fishers. Holt seconded. Motion carried unanimously.

Administrative Assistant [3:18:07]

SBC Contract:

Mr. Swift presented the SBC Contract for signature. This contract was approved at the last meeting, but SBC has requested the contract be split in to two documents. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Noblesville Street Department Request:

Mr. Swift stated the Noblesville Street Department has requested permission to install signs around the courthouse square indicating locations for parking. Holt stated he thinks they are an eyesore and motioned to decline the offer. Altman seconded declining the offer. Dillinger asked who was this proposed by? Mr. Swift stated the parking committee. Dillinger stated he is not sure what the value is to where they want to locate them. Motion carried unanimously. Mr. Swift stated they will put signs at the entrance to the county parking lots, which the Commissioners previously approved.

National Day of Prayer:

Mr. Swift stated Sheriff's Chaplin Burton is requesting permission to hold the observance of the National Day of Prayer on the Historic Courthouse stairs on May 6, 2004. Altman motioned to approve. Holt seconded. Motion carried unanimously.

War Memorial:

Mr. Swift stated Wayne Long is making plans to add the name of Hamilton County's Iraq war victim to the War Memorial. The Commissioner's commended Mr. Long.

Security Committee Recommendations: [3:25:25]

Security Desk for Historic Courthouse:

Mr. Swift stated the Security Committee has approved moving one of the roll-top desks up to the main floor of the Historic Courthouse for use by the Sheriff's deputy. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Amendment to Employee Handbook:

Mr. Swift stated the Security Committee has approved an amendment to the Employee Handbook to state that our employees can no longer receive personal packages and catalog orders here at their place of work. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Government Payment Services: [3:28:28]

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Ms. Tammy Baitz stated she and Mr. Howard have been reviewing a contract with Government Payment Services who would accept credit card payments for traffic tickets. This has been approved by the Judges. Court costs will change July 1st so she would like to have this online by that date. She would begin with traffic tickets and if it works well she will expand the program. Altman asked if Ms. Baitz was aware that the County was going to have a presentation from Access Indiana and what they have available for credit processing of payments? Ms. Baitz stated no, she was not aware of that. Altman asked Ms. Baitz if we could defer approval of this contract until the presentation by Access Indiana next week? Altman stated this contract would be presented at the next meeting. Altman so moved. Holt seconded. Holt asked what her thought was on child support payments? Ms. Baitz stated Mr. Howard discouraged that at this point. She wants to see how the process works before she adds to it. Holt stated he can see where this would be a lifesaver for the Clerk's Office. Holt asked what is the fee level charged to the user? Ms Baitz stated they charge 5%. Ms. Baitz stated she could wait until the next meeting. Motion carried unanimously.

Noblesville Housing Authority Agreement: [3:35:20]

Mr. Rick Conner requested approval of an agreement between Hamilton County and the Noblesville Housing Authority that would allow them to manage the Community Development Block Grant Program for Hamilton County. Mike Howard has reviewed the agreement. Carmel and Sheridan have opted out of this program. Holt motioned to approve the agreement for the grant administration between the County and Noblesville Housing Authority. Altman seconded. Motion carried unanimously.

Owner-Occupied Housing Rehabilitation Grant:

The Commissioners and Auditor stated they have no Conflict of Interests with the list of proposed beneficiaries for the Owner-Occupied Housing Rehabilitation Grant.

4-H Plaque:

Mr. Swift stated the County was given a plaque commemorating that Hamilton County was the birthplace of 4-H in Indiana. The first meeting of 4-H was held in what is now the Recorder's Office. Mr. Swift suggested the plaque be hung in the Recorder's office and would like to arrange a small ceremony with the Commissioners and representatives from 4-H. Holt motioned to put it where the event happened. Dillinger seconded. Motion carried unanimously.

Polling Places:

Ms. Kathy Richardson requested approval of the final list of polling places for the May Primary. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Voter Registration Cards:

Ms. Richardson informed the Commissioners that she is requesting a \$50,000 additional from the County Council to send out Voter Registration cards for the purpose of purging the records. In 1995 we were no longer allowed to purge our voter rolls. In this year's General Assembly a provision was passed that purges can be done by the counties. This will help clean up our rolls. To create new precincts, once they get to 1,200 it has to be split. We have 23 precincts over 1,200 and seven precincts that are 1,100. If 23 new precincts had to be created it would cost \$92,000 for voting equipment and \$27,000 in poll workers per year. Holt asked how will it work? Ms. Richardson stated the last week in April we will send out a new voter registration card to everyone. The cards that come back from people who have moved with no forwarding address we can use that to make their file inactive. They will stay on the rolls for two federal elections in case there was a postal problem. They would still be allowed to vote. This will also help everyone know where their polling place is. Ms Richardson estimates 25,000 cards will be returned.

Sheriff [3:50:43]

Sheriff Carter reported the Jail is quiet and a sense of normalcy is returning.

Bid Award

Sheriff's Gas Bid:

Sheriff Carter recommended awarding the annual gas bid for the Sheriff's Department to the Hamilton County Co-Op. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Auditor [3:51:38]

Public Official Bonds:

Ms. Robin Mills requested acceptance of the Public Official Bonds for Tammy Baitz, Clerk and Jenny Hayden, Recorder. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Capital Assets Acceptance/Release:

Ms. Mills requested approval and signature of the President for acquisition of a camera for Microfilm, disposal of a camera from Microfilm and acquisition of computer hardware for the Sheriff's Department. Holt motioned to execute the capital asset designation. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2004-00025 - Fidelity and Deposit Company of Maryland Performance Bond No. PRF8136481 for the relocation of the Oliver Shoemaker Drain across the Amli at Prairie Lakes Development at 141st and Cumberland - \$198,033.00. 2) HCDB-2004-00025A - Fidelity and Deposit Company of Maryland Performance Bond No. PRF8136481 for the relocation of the Oliver Shoemaker Drain across the Amli at Prairie Lakes Development at 141st and Cumberland - \$198,033.00 (Rider adding the name of the regulated drain to the surety). 3) HCDB-2004-00026 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5007096 for The Lakes at Hamilton Place, Section 1A Monumentation - \$6,875.00. 4) HCDB-2004-00027 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5007095 for The Lakes at Hamilton Place, Section 1A Erosion Control - \$106,200.00. 5) HCDB-2004-00028 - Bond Safeguard Insurance Company Subdivision Performance Bond No. 5007094 for The Lakes at Hamilton Place, Sec. 1A - Storm sewer, sub-surface drain - \$392,500.00. 6) HCDB-2004-00029 - Bond Safeguard Insurance Company Bond No. 5011309 for Fox Hollow at Geist, Section 3 - Storm sewers and sub-surface drains - \$246,347.81. 7) HCDB-2004-00030 - Bond Safeguard Insurance Company Bond No. 5011308 for Fox Hollow at Geist, Sec. 3 - erosion control - \$42,080.00. 8) HCDB-2004-00031 - Bond Safeguard Insurance Company Bond No. 5011307 for Fox Hollow at Geist, Sec. 3 - monuments and markers - \$1,820.00. 9) HCDB-2004-00032 - Community Bank Standby Letter of Credit #310 for Noblesville Business Park - reconstruction of McMahon-Overdorf Drain - \$315,000.00. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims:

Ms. Mills requested approval of Payroll Claims for the period of March 15-28, 2004 paid on April 8, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

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Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid April 13, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Poor Relief Appeal - Washington Township: [3:57:42]

Ms. Janette Devore and Mr. Daniel Beach, 18200 US 31 N, Lot 286, Westfield requested an appeal for Poor Relief from the Washington Township Trustee. Ms. Devore stated they feel they were wrongly denied poor relief. They were not given an application each time they applied nor were they given a denial letter each time they were denied. Mr. Gill told her that she had to fill out two job applications every week and bring in a copy of the application. When she told Mr. Gill she was not able to get copies of the applications he told her to go back and get a letter that had to be on their letterhead and signed by the manager. Dan was told to bring a copy of his evaluation in, which is still being processed, so he does not have a copy of it yet. Mr. Beach stated he informed Mr. Gill that the testing was not done at the time and it would be a couple of months before he could get the evaluation for vocational rehabilitation. Ms. Devore stated last December Mr. Gill refused to help them with their rent because they were two months behind. They had gone in November to ask for help and it was pending and when they went back in December Mr. Gill told them he could not help them because they were two months behind in their rent. Currently Ms. Devore has a letter from her psychologist stating she has a problem working due to stress and panic attacks. It is very hard for her to talk to people without having a panic attack. Her psychologist left and Ms. Devore has a new psychologist, who would like to get further testing before he continues and will give her a letter stating that she is disabled right now. She goes for further testing tomorrow. Ms. Devore stated they feel they were wrongly accused. The last letter Mr. Gill sent stated that Dan was working in 2003 for North Glen Village, he lost that job in August 2002. The last time they went to see Mr. Gill they had an eviction notice and he still refused to help. Ms. Devore stated they had to beg people to give them the money so they would not be evicted. Mr. Beach stated Mr. Gill has made claims that he was drawing unemployment during times when he was not drawing unemployment. The manager of North Glen Village, also their landlord, has been saying things to try to get them out of there. It is very difficult to live in that situation and they can't afford to move out.

Mr. David Gill, Washington Township Trustee, stated they have continually applied for Poor Relief the last 3-4 months. He assisted them with rent in December, they have paid medical benefits, and at least 4 times they have paid for gas for them to look for jobs. According to the Trustee Guidelines they can deny for the following reasons: for wasted resources; voluntarily terminating gainful employment, Mr. Beach was employed by North Glen Villages and dismissed for absenteeism, which is a reason to deny claims. The manager, Ms. Horner, has advised Mr. Gill that they did not fight the unemployment claim because they did not want to go through that process. He was given a check for approximately \$2,000, he has made no accounting of that money. Ms. Devore was release from Abacus for continual absenteeism. She claims she has some kind of problems, but he has no medical evidence from any physician that either one of them can not work. Neither one of them have provided proof that they are looking for work, we normally ask that each one have two applications per week and give us evidence that they are looking for work. Under our guidelines, if that is not provided, we can deny claims. Mr. Gill stated in our investigation process we have been advised by the gas station that we work with to provide indigent people with gas, that Ms. Devore has purchased scratch-off Lotto tickets every time she comes in. That is wasted resources. They have not provided any receipts of any monies they have received that they are spending on basic necessities. After giving them assistance for December and January, based on our efforts, my last letter to him indicated that he was released from North Glen Villages and that is grounds for denial. He has assisted them continually in the past, but they have violated several areas of the Trustee's guidelines, we felt it was time to put our foot down. Altman asked if the Poor Relief is intended just as a temporary assistance? Mr. Gill stated yes. Altman stated your denial or allowing them benefits does not stop this couple from applying for total disability with Social Security or Welfare benefits? Mr. Gill stated no. His suggests that when people claim disability that they immediately apply for Social Security Disability. Social Security is very tough to get the first time, claims are mostly denied. Ms. Devore received a letter in August 2003 stating that Social Security did not have enough information to evaluate her, she was to report for an evaluation exam on September 19, 2003, as far as Mr. Gill knows she never reported for the exam. We have no medical evidence that she ever pursued her claim for disability. If you claim you can not work for a physical or mental impairment, he needs proof from a registered physician that says you can not work or something from another branch of the government that agrees with that claim and therefore is providing benefits. Dillinger asked Mr. Gill if he advised her of that? Mr. Gill stated yes, he did it verbally and has no written documentation. On February 27, 2004 they denied their rent payment, they approved transportation payment and medicine. Transportation for them to look for work and medicine because it was in our best judgement it was an emergency situation and the medicine was not that expensive. Ms. Devore claimed she had an unemployment settlement from Abacus, her former employer, we asked for a copy of that which she did not provide. They need evidence of her applying for two jobs a week, something on stationary stating yes, she did apply. They asked that Ms. Devore register for the next Impact classes. Without hard evidence he can not continue to use poor relief funds, which are limited, to provide assistance for people who are doing everything they should do to move on to the next step.

[4:10:11] Ms. Devore stated that Mr. Gill stated she was fired from Abacus for excessive absenteeism, she was fired when she was in the stress center, she called them when she went in and informed them that she was in the stress center, she had a nervous breakdown and was suicidal and she had checked herself in to the stress center and would call them when she got out. She called them on Wednesday when she got out and they informed her they had fired her for no call, no show on Monday and Tuesday. When she filed for unemployment, Abacus said she had quit. She went through the appeal process and unemployment found that she was let go for medical reasons. Dillinger asked if she received compensation? Ms. Devore stated she received approximately \$2,026.00. Ms. Devore stated she verbally told Mr. Gill where the money went. She could not find the check stubs, she received the settlement in January and it was March when she asked for the assistance. Mr. Gill has stated he gave them gas and medicine in February, it was in March he gave us gas money and he did not give us the medicine, he gave us a letter stating he would have to follow up with St. Vincent's Primary Care Clinic where there is a program to send in for free medicine. Mr. Gill has stated she did not follow up with the Social Security disability. Ms. Devore stated she did, she went for the testing and he brought him the denial letter. Nancy Chance made copies of that letter, but it is conviently not in the record. She can provide copies of the letter, if they are needed. She could file the appeal, but at the same time she had to get another letter from her therapist to file the appeal. The therapist she was working with is no longer there and she will have to start the whole process over with a new therapist. Mr. Beach stated he did not quit his job, the manager put him on call because it was a seasonal job and told him he does not need to come back until they call him. He called her several times to see if there was any work and the only thing she told him was that he could keep mowing yards on Thursday and Friday. One of the times he came in to mow the lawn she told him there was no reason for him to be there anymore. He asked her what she was talking about and she had

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several excuses, but he could not figure out why he was fired. Mr. Beach stated he was not getting a lump sum check from unemployment, he was getting unemployment every month and searching for work every week. He received monthly checks for three months and received an extension of three months, which began in August 2002. Ms. Devore stated Mr. Gill stated that Ms. Horner did not fight him on his unemployment and she did fight Mr. Beach. He did have an unemployment hearing and he won, they determined he was fired. Mr. Beach stated he has received a letter from his therapist stating he should not be working and Mr. Gill does have a copy of that letter. Mr. Beach is also going through testing for vocational rehabilitation. Mr. Gill has stated everything is dependent on information that they can not get in a decent length of time. His recollection is that Mr. Gill only helped with half of October's rent, paid in November. He never paid anything after that except for gas. Dillinger asked how much is rent? Ms. Devore stated \$330 a month, it changes from month to month due to sewer and water fluctuating. There is a \$50 late fee each month. We have always tried to get help before it was too late. Holt asked if it was lot rent only? Mr. Beach stated he owns the mobile home, it is all lot rent. [4:17:30] Holt motioned to deny the appeal for poor relief. Altman seconded. Motion carried unanimously. Mr. Beach asked about Mr. Gill writing a letter stating they can no longer come to him, that he will consistently refuse us. He did not write that letter until we appealed to the Commissioners. Holt stated the letter states that since you are not responding to the things you asked for that no further assistance can be considered. Holt stated he does not read it that he shut the door on you, if you have future needs and you can respond to the Trustee and give him the verification he is asking for, this letter does not say you can not do that. Altman stated Poor Relief is a temporary program and if you feel you have permanent disabilities or permanent needs you need to go to the Welfare Department and Social Security Department. Mr. Beach stated his understanding that when Jan fills out job applications she keeps running in to situations that she can't get applications because they are not hiring or when she does she can not get a copy of the application, which makes it difficult to follow his rules.

Holt motioned to adjourn the meeting. Altman seconded. Motion carried unanimously.

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Commissioners Correspondence:

Letter from Larry Jacobi requesting appointment for Board of Aviation Commissioners
4-H Fairgrounds April Event Calendar
Beam, Longest and Neff Notice of Transmittal:
 Bridge #257, Lantern Road over Shoemaker Ditch
IDEM Notice of Sewer Permit Application:
 Village of West Clay, Sterkx Building - Carmel
 Village of West Clay, Section 9005 - Carmel
 AML I at Prairie Lakes - Noblesville
IDEM Confined Feeding Operation Approval:
 Bryant Premium Pork, LLC - Arcadia
IDEM Notice of Public Comment:
 Industrial Dielectrics, Inc. - Noblesville
IDEM Notice of Appeal Rights:
 Cool Creek Commons - Westfield
 The Bridgewater Club, Section C - Westfield
 Village of West Clay, Section 9005 - Carmel
 Geist Pavilion - Fishers
 Strongbow Gate, Section 1 - Fishers
 Mill Grove, Section 5 - Noblesville
 Fox Hollow at Geist, Section 3 - Noblesville
 Greyhound Commons - Carmel
 Weston Park - Carmel
 The Highlands at Stony Creek, Section 2A - Noblesville
 The Bristol's, Section 3A - Fishers

Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Doug Carter, Sheriff
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Amber Emery, Highway Public Service Representative
Robert Chadwell, Highway Inspector
Steve Broermann, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Highway Project Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Faraz Hahn, Highway Department
Kathy Howard, Highway Department
Becki Wise, USI
Mike Booth, Town of Fishers
Adam Brower, Envoy
John Barbee, Envoy
Larry Dawson, Envoy
Dan McCloskey, BDMD Architects
John Dierdorf, BDMD Architects
Dan Stevens, Sheriff's Department
Jeff Marcum, Juvenile Justice Center Project
Larry Pearson, Pearson Group, LLC
Sonia Leerkamp, Prosecutor
Scott Warner, Buildings and Grounds
David Gill, Washington Township Trustee
Daniel Beach, 18200 US 31 N, Lot 286, Westfield
Janette Devore, 18200 US 31 N, Lot 286, Westfield

APPROVED:
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor